

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

ORTHO-McNEIL  
PHARMACEUTICAL, INC.,

Plaintiff and  
Counterclaim Defendant,

v.

MYLAN LABORATORIES INC. and  
MYLAN PHARMACEUTICALS INC.,

Defendants and  
Counterclaim Plaintiffs.

Civil Action No. 3:04-1689 (SRC)

RECEIVED

MAY 17 2006

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

ORTHO-McNEIL  
PHARMACEUTICAL, INC.,

Plaintiff and  
Counterclaim Defendant,

v.

MYLAN LABORATORIES INC. and  
MYLAN PHARMACEUTICALS INC.,

Defendants and  
Counterclaim Plaintiffs.

Civil Action No. 3:06-757 (SRC)

ORDER OF CONSOLIDATION

In view of the parties' Joint Stipulation Regarding Consolidation (attached hereto and filed contemporaneously herewith), and for good cause shown;

IT IS on this 17<sup>th</sup> day of May, 2006;

**ORDERED** that Civil Action No. 3:04-1689 and Civil Action No. 3:06-757 are hereby consolidated for all purposes pursuant to Fed. R. Civ. Proc. 42(a), and it is further

**ORDERED** that the Final Pretrial Order (D.I. 58) and all amendments and supplements thereto, and all other pending pretrial and trial motions in Civil Action No. 3:04-1689 will also be deemed to refer to and include the Defendants' 50 mg topiramate tablet product, including but not limited to the stipulations regarding infringement at pages 9-10, paragraphs 32-34, of the Final Pretrial Order, and it is further

**ORDERED** that all papers and pleadings shall be filed in Civil Action No. 3:04-1689.

  
HON. TONIANNE J. BONGIOVANNI  
UNITED STATES MAGISTRATE JUDGE